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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/531,419

04/15/2005

Christian Putzi

4303-1004

7921

466 7590 02/06/2007

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EXAMINER

UNDERWOOD, DONALD W

ART UNIT

PAPER NUMBER

3652

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/06/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/531,419

Applicant(s)

PUTZI, CHRISTIAN

Examiner

Donald Underwood

Art Unit

3652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/02/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2-5 and 7-17 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The drawing is objected to under 37CFR1.83(a) as failing to show and label a flip mechanism. Correction is required. The introduction of new matter should be guarded against.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7, 8, 13, 14 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 7, "a flip mechanism" in line 2 should be correlated with "a pivoting mechanism" in claim 1 and "two holding devices" bridging lines 3 and 4 should be correlated with "holding means" in claim 1. Also "two holding devices" in claim 7 should be correlated with the flip mechanism and pivoting mechanism.

Regarding claim 13, it appears --each-- should be inserted before "said" in line 7.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 9, 11, 12, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt, et al. in view of Wu, et al.

It would have been obvious to substitute an arm as claimed for each arm in Schmidt in view of the teaching in Wu. Note Wu's arm is like the claimed arm. This

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would have been an obvious substitution of equivalent arms. Note the stations in Schmidt are shown as single processing stations. Moreover, Schmidt is handling one wafer at a time. As for applicant's intended operation Schmidt as modified by Wu could be operated this way. The instant claims are not method claims, thus, the implied steps of operation can not serve as a basis for patentability.

Claims 1, 9, 10, 11, 12, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt, et al. in view of newly cited Williams.

It would have been obvious to provide a pivot for vertical placement of the end effector in Schmidt and to place the structures closer together in view of the teaching in Williams (column 8, lines 26-30) to provide a more compact device to save space.

Claims 3, 4, 7, 8, 13, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt, et al. in view of Wu, et al. or Williams as applied to claim 1 above, and further in view of Larson, et al.

It would have been obvious to provide additional cassettes and a transfer unit to move the wafers from the additional cassettes to the original cassettes in view of the teaching in Larson (elements 34 and 62 in figure 14) to promote cleanliness. Note the original cassettes comprise transfer stations.

It would also have been obvious to provide a flip structure as claimed in Schmidt in view of the teaching in Larson (page 4, paragraph 0045).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt, et al. in view of Wu, et al. or Williams and Larson, et al. as applied to claim 4 above, and further in view of Wooten.

It would have been obvious to provide the cassette stations in Schmidt with an inspection area before manufacturing in view of the teaching in Wooten to provide a way to prevent processing defective wafers. Note Wooten, figure 1.

Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant's remarks have been carefully considered but are not deemed persuasive. The holder 32 in Wu can be rotated 180 degrees. It could be held at 90 degrees if the motor were stopped at the appropriate time. Applicant's claims are apparatus claims not method claims and the structure of Wu is capable of working in applicant's desired mode of operation. Moreover, newly cited Williams (column 8, lines 26-30) more directly address applicant's newly added operation.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald Underwood whose telephone number is 571-272-6933. The examiner can normally be reached on Mon-Thursday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on 571-272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Donald Underwood 02/02/07
Donald Underwood
Primary Examiner
Art Unit 3652